

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION CORPORATION, : Adv. Proc. No.: 08-01789 (BRL)

Plaintiff, : SIPA Liquidation

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

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ORDER AMENDING AND MODIFYING THE DECEMBER 23, 2008 ORDER ESTABLISHING DEADLINES FOR THE FILING OF CUSTOMER CLAIMS

Upon the motion (the “Motion”)¹ of Lucerne Foundation, Collingwood Enterprises and Douglas Rimsky seeking entry of an order modifying the Court’s December 23, 2008 order establishing deadlines for the filing of customer claims (the “Bar Date Order”); and a hearing having been held before this Court to consider the Motion on February 24, 2009; and due and proper notice of the Motion having been provided; and it appearing that no other notice of the Motion need to be given; objections, if any, to the Motion having been overruled, settled, or withdrawn, and sufficient cause appearing thereof, it is hereby

ORDERED that the Motion is granted in its entirety; and it is further

ORDERED that the Bar Date Order is amended to provide that any customer claim that arises in the future as a result of the Trustee’s successful pursuit of an avoidance action by Irving

¹ Capitalized terms used herein but not defined herein shall have the meanings ascribed to them in the Motion.

H. Picard (the “Trustee”) is specifically excepted from the Bar Date Order and need not be filed until 30 days after the judgment giving rise to such claim becomes final; and it is further

ORDERED that any customer claim that is filed in accordance with this Order shall be deemed timely filed for all purposes; and it is further

ORDERED that the Trustee shall provide notice of the entry of this Order by posting a copy of it at <http://www.madofftrustee.com>; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: New York, New York
February __, 2009

United States Bankruptcy Judge